

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	MDL DOCKET NO. 1948
VTRAN MEDIA TECHNOLOGIES,	:	
LLC, PATENT LITIGATION	:	ALL CASES

ORDER

AND NOW, this 17th day of July, 2009, upon consideration of Plaintiff's Opening Claim Construction Brief (docket no. 43), Defendants' Response (docket no. 44), and Plaintiff's Reply (docket no. 45), and after a claim construction hearing held on February 24, 2009, it is **ORDERED** that the following claim constructions shall apply:

1. The terms "*a television transmission system . . . for transmitting television programs thereover for reception by a plurality of receivers*" ('320 Patent, Claim 1 Preamble) and "*a television transmission system for transmitting programs thereover for reception by a plurality of receivers*" ('078 Patent, Claim 10 Preamble) both mean **"a system that allows multiple viewers to choose the same program at the same time such that once the chosen program is scheduled for transmission on a particular channel, additional viewers can be added by transmitting the appropriate descrambling signals to the requesting viewer's receiver."**

2. The terms "*a requested time*" ('320 Patent, Claim 1) and "*a viewer-requested time*" ('078 Patent, Claim 10) both mean **"a specific time of day chosen and scheduled by the viewer where at the time the choice is made the viewer can choose from any time of day."**

3. The term "*preventing intelligible viewing*" ('320 Patent, Claim 1; '078 Patent, Claim 10) means **"scrambling the video signal of the chosen program transmission such that the video signal displays in an incomprehensible form and transmitting the descrambling signal related to said transmission only to requesting viewers' receivers."**

4. The term “*means for selectively preventing intelligible viewing*” (‘320 Patent, Claim 1) is construed as follows:

- a. **Function:** selectively preventing intelligible viewing (which means “scrambling the video signal of the chosen program transmission such that the video signal displays in an incomprehensible form and transmitting the descrambling signal related to said transmission only to requesting viewers’ receivers”)
- b. **Structure:** the scrambler portion of conventional scrambler unit 38; a billing and address computer 26 programmed to transmit the descrambling signal only to the requesting viewers’ receivers; and structural equivalents thereof

BY THE COURT:

S/ BRUCE W. KAUFFMAN
BRUCE W. KAUFFMAN, J.